

227.220 Duties of state fire marshal and chief state building official relating to fire loss. (Effective January 1, 2019)

- (1) The state fire marshal shall enforce or aid in the enforcement of all laws, administrative regulations, and ordinances of the state and its political subdivisions relating to fire loss as defined in KRS 227.200:
 - (a) The prevention or reduction of loss by fire or by other hazard or risk insured by property or casualty insurance companies doing business in this state, except as to disability insurance and workers' compensation, and shall enforce any other regulations or methods adopted for the prevention of loss from such hazards or risks in order to promote the safety of persons or property;
 - (b) The manufacture, transportation, storage, sale, or use of combustibles, explosives, and hazardous materials or equipment;
 - (c) The design, construction, and maintenance of property which has a direct bearing on safety to life and property;
 - (d) The construction, installation, maintenance, or equipment of fire alarm systems, fire protection and extinguishing equipment, and fire escapes and other means of access to or exit from property; and
 - (e) Arson and related offenses.
- (2) The chief state building official shall enforce and administer all applicable provisions of the Kentucky Building Code, including all the provisions designed for the prevention of fire loss, and shall have all the powers and duties awarded by KRS Chapter 198B and the Kentucky Building Code.
- (3) The state fire marshal is authorized to:
 - (a) Investigate the cause, origin, and circumstances of fires and explosions for the purpose of detecting and suppressing arson and related offenses, or for the purpose of minimizing or preventing fire loss;
 - (b) Supervise and make periodic inspections of all property within the state, and assist cities having fire departments in making like periodic inspections of all property in cities, except occupied private dwellings;
 - (c) Issue and enforce reasonable emergency orders and orders in accordance with KRS 227.330 for the prevention of fire loss, and for the adoption, approval, and installation of safety measures, remodeling, and equipment as will minimize fire loss;
 - (d) Provide technical and engineering advice and assistance to state and local governmental agencies in relation to fire prevention or fire protection;
 - (e) Direct and assist owners of educational institutions, places of public assembly, institutional buildings, public buildings, factories, business buildings, or other places where persons congregate, in the instruction of fire prevention, and the holding of fire drills;
 - (f) Conduct fire prevention and educational campaigns;
 - (g) Conduct examinations into the cause, origin, or circumstances of fire losses;
 - (h) Hold administrative hearings in accordance with the KRS Chapter 13B, as

may be required by law or deemed by the state fire marshal necessary or desirable as to any matter within the scope of this chapter. All administrative hearings shall be public, unless the state fire marshal, or an authorized designee, determines that a private hearing would be in the public interest, in which case, and only with the consent of all parties to the hearing, the hearing shall be private;

- (i) Direct research in the field of fire protection and accept gifts and grants for these purposes;
 - (j) Appoint deputy fire marshals to be fire investigators; and
 - (k) Recommend curricula for advanced courses and seminars in fire science training in colleges and institutions of higher education.
- (4) The state fire marshal shall head the Division of Fire Prevention in the department.

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History: Amended 2018 Ky. Acts ch. 128, sec. 10, effective January 1, 2019. -- Amended 2010 Ky. Acts ch. 24, sec. 392, effective July 15, 2010. -- Amended 1996 Ky. Acts ch. 318, sec. 138, effective July 15, 1996. -- Amended 1980 Ky. Acts ch. 295, sec. 71, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 305, sec. 3, effective June 17, 1978. -- Created 1954 Ky. Acts ch. 201, sec. 3.